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PATENT



Practitioner's Docket No. 2731/103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael D. Mason  
Application No.: 10/767,637  
Filed: 01/29/2004  
For: Method for Graftless Spinal Fusion

Group No.: 3732  
Examiner: D.A. Bonderer

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$60.00

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

[X] with sufficient postage as first class mail.


37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_

  
Signature

Date: December 14, 2004

John L. Conway

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	4	— 20	= 0	x \$ 25.00	= \$	0.00	
INDEP.	1	— 3	= 0	x \$ 100.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
TOTAL ADDIT. FEE					\$	0.00	

No additional fee for claims is required.

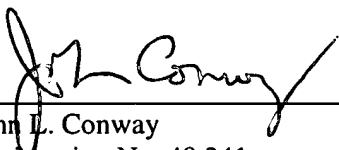
### FEE PAYMENT

5. Attached is a check in the sum of \$60.00.

Charge any additional fees required by this paper or credit any overpayment to deposit account 19-4972.

A duplicate of this paper is attached.

Date: December 14, 2004

  
\_\_\_\_\_  
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617-443-9292  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mason

Atty Dkt: 2731/103

Serial No: 10/767,637

Art Unit: 3732

Date Filed: January 29, 2004

Examiner: D. A. Bonderer

Invention: Graftless Spinal Fusion Device

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 14, 2004..

  
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John L. Conway

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE A**

Dear Sir:

In response to the Office Action mailed on September 8, 2004, Applicant responds as follows: